

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: REQUEST FOR SIDE STREET SETBACK VARIANCE FROM 25 FEET TO 18 FEET FOR A PROPOSED FENCE IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (KALPATHY SUNDARAM, APPLICANT).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Earnest McDonald **CONTACT:** Francisco Torregrosa **EXT.** 7387

Agenda Date 08-23-04 **Regular** ☐ **Consent** ☐ **Public Hearing – 6:00** ☒

MOTION/RECOMMENDATION:

1. **APPROVE** REQUEST FOR SIDE STREET SETBACK VARIANCE FROM 25 FEET TO 18 FEET FOR A PROPOSED FENCE IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (KALPATHY SUNDARAM, APPLICANT); OR
2. **DENY** REQUEST FOR SIDE STREET SETBACK VARIANCE FROM 25 FEET TO 18 FEET FOR A PROPOSED FENCE IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (KALPATHY SUNDARAM, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANT: KALPATHY SUNDARAM LOCATION: 3808 GREYSTONE LEGEND PLACE ZONING: R-1AA (SINGLE-FAMILY DWELLING DISTRICT)
BACKGROUND/REQUEST	<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO ERECT A FENCE THAT WOULD ENCROACH 7 FEET INTO THE MINIMUM 25 FOOT FRONT SIDE STREET SETBACK; THE AFOREMENTIONED SIDE STREET SETBACK VARIANCE FROM 25 FEET TO 18 FEET IS THEREBY REQUESTED. • THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.
STAFF FINDINGS	THE APPLICANT HAS FAILED TO SATISFY THE CRITERIA FOR THE GRANT OF A VARIANCE. STAFF HAS DETERMINED THAT: <ul style="list-style-type: none"> • NO SPECIAL CIRCUMSTANCES APPLICABLE TO THE PROPERTY OR PROPOSED FENCE HAVE BEEN DEMONSTRATED. • THE FENCE COULD BE BUILT TO COMPLY WITH THE MINIMUM SETBACK REQUIREMENTS AND STILL PROVIDE REASONABLE USE OF THE PROPERTY.

	<p>DEMONSTRATED.</p> <ul style="list-style-type: none"> • THE FENCE COULD BE BUILT TO COMPLY WITH THE MINIMUM SETBACK REQUIREMENTS AND STILL PROVIDE REASONABLE USE OF THE PROPERTY. • THE REQUEST WOULD CONFER UPON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHERS IN THE R-1AA DISTRICT.
STAFF RECOMMENDATION	<p>BASED ON THE PROPOSED SITE PLAN AND THE REPRESENTATIONS OF THE APPLICANT, STAFF RECOMMENDS THE BOARD OF ADJUSTMENT DENY THE REQUEST. IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none"> • ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE PROPOSED FENCE AS DEPICTED ON THE ATTACHED SITE PLAN; AND • ANY ADDITIONAL CONDITIONS DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
PLANNING DIVISION
1101 EAST FIRST STREET
SANFORD, FL 32771
(407) 665-7444 PHONE (407) 665-7385 FAX APPL. NO. BV 2004-111

APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

Applications to the Seminole County Board of Adjustment shall include all applicable items listed in the Board of Adjustment Process Checklist. No application will be scheduled for Board of Adjustment consideration until a complete application (including all information requested below) has been received by the Planning & Development Department, Planning Division.

APPLICATION TYPE:

☒ **VARIANCE** on Fence Permit, Change min 25' to 18' feet due to seven scattered trees around the area.

☐ **SPECIAL EXCEPTION**

☐ **MOBILE HOME SPECIAL EXCEPTION**

☐ EXISTING ☐ PROPOSED ☐ REPLACEMENT

MOBILE HOME IS FOR

YEAR OF MOBILE HOME _____ SIZE OF MOBILE HOME _____

ANTICIPATED TIME MOBILE HOME IS NEEDED _____

PLAN TO BUILD ☐ YES ☐ NO IF SO, WHEN _____

MEDICAL HARDSHIP ☐ YES (LETTER FROM DOCTOR REQUIRED) ☐ NO

☐ **APPEAL FROM DECISION OF THE PLANNING MANAGER**

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME	KALPATHY B. SUNDARAM	
ADDRESS	3808 GREYSTONE LEGEND PL OVIDO, FL 32765	
PHONE 1	407-977-7942	
PHONE 2	407-823-5326	
E-MAIL	sundaram@mail.ucf.edu	

PROJECT NAME: FENCE Installation

SITE ADDRESS: 3808 GREYSTONE LEGEND PL., OVIDO FL 32765

CURRENT USE OF PROPERTY: Residence

LEGAL DESCRIPTION: _____

SIZE OF PROPERTY: 1/3 acre(s) PARCEL I.D. 33-21-31-506-000-010

UTILITIES: ☐ WATER ☐ WELL ☐ SEWER ☐ SEPTIC TANK ☐ OTHER _____

KNOWN CODE ENFORCEMENT VIOLATIONS None

IS PROPERTY ACCESSIBLE FOR INSPECTION ☒ YES ☐ NO

This request will be considered at the Board of Adjustment regular meeting on August 23, 04
(mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole County Services Building, located at 1101 East First Street in downtown Sanford, FL.

I hereby affirm that all statements, proposals, and/or plans submitted with or contained within this application are true and correct to the best of my knowledge.

KBSundaram

SIGNATURE OF OWNER OR AGENT*

6/04/04

DATE

* Proof of owner's authorization is required with submittal if signed by agent.

\\pl\projects\boa\master forms & lists\boa applications\boa application.doc

ADDITIONAL VARIANCES

13V2004-111

VARIANCE 2: #1 Front yard setback variance from 25' to 18' for proposed fence.

VARIANCE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

VARIANCE 8:

APPEAL FROM BOA DECISION TO BCC

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME		
ADDRESS		
PHONE 1		
PHONE 2		
E-MAIL		

NATURE OF THE APPEAL

BCC PUBLIC HEARING DATE

FOR OFFICE USE ONLY

PROCESSING:

FEE: \$150 COMMISSION DISTRICT 2 FLU/ZONING LDR/ R1AA

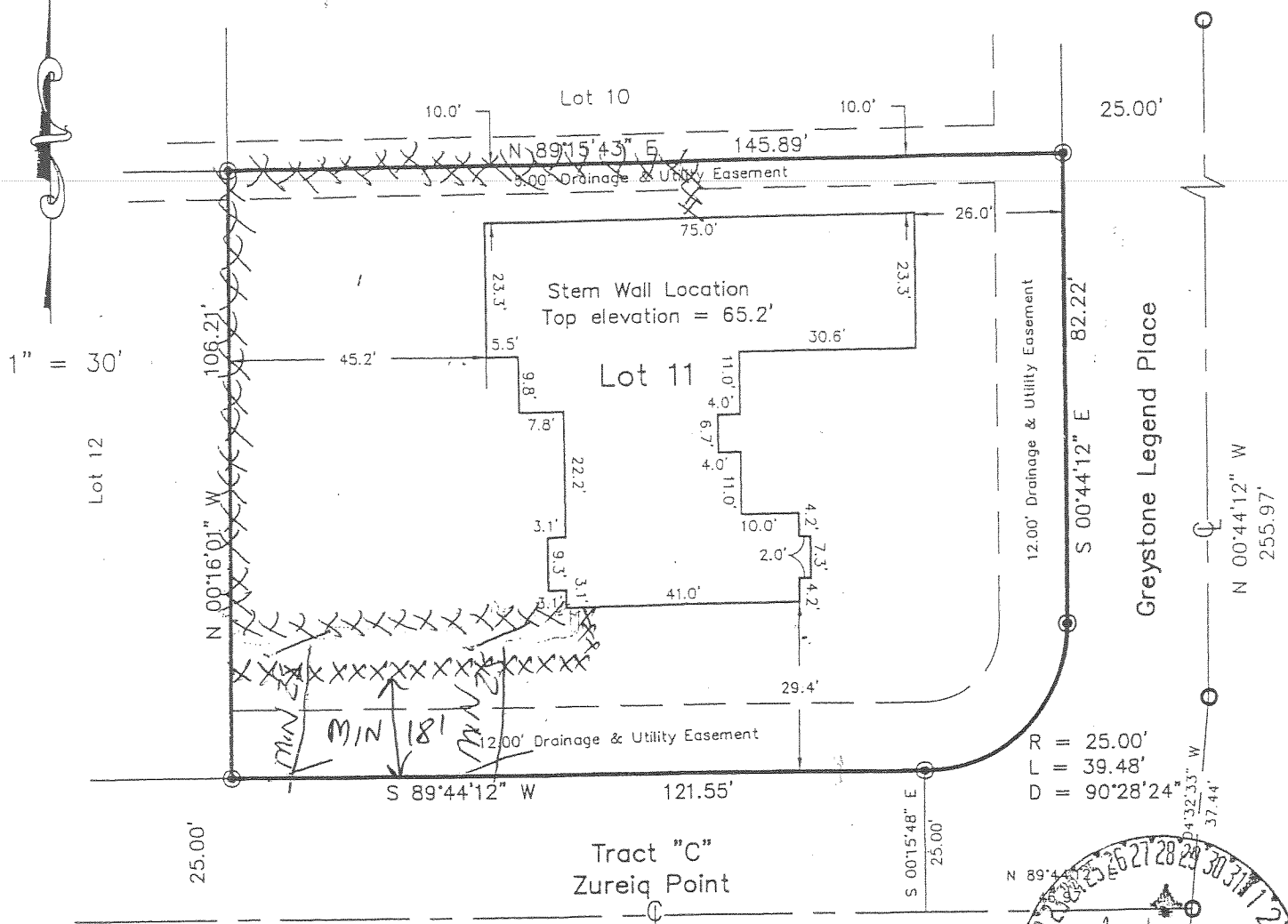
LOCATION FURTHER DESCRIBED AS ON THE NW CORNER OF GREYSTONE LEGEND PLACE AND ZUREIQ POINT

PLANNER DATE VB Processed 6/14

SUFFICIENCY COMMENTS NOTE HANDSHIP OF SEVEN TREES LOCATED IN AREA

Boundary Survey

Lot 11, GREYSTONE, according to the plat thereof as recorded in Plat Book 59, Pages 98 and 99, Public Records of Seminole County, Florida.



Certified To:

1. Peoples First Community Bank
2. Title Group of Central Florida, Inc.
3. Zureiq Investment Company, Inc.
4. Fidelity National Title Insurance Company

Surveyor's Report

1. Bearings shown hereon are based on the South line of Lot 11, GREYSTONE, being assumed as South 89°15'43" West.
 2. Subject property lies in Zone "X", area outside the 500-year floodplain, according to the Flood Insurance Rate Map community panel/map number 12117C0230 E, dated April 17, 1995.
 3. This survey meets the Minimum Technical Standards set forth in Florida Administrative Code Rule 61G17-6, pursuant to Florida Statue Chapter 472.
 4. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
- - denotes recovered nail and disk stamped 'PCP - P.S.M. 5205' PCP - denotes permanent control point
 ● - denotes Set 5/8" Iron Rod and Cap stamped 'P.S.M. 5205' P.S.M. - denotes Professional Surveyor and Mapper
 - denotes Official Records Book R/W - denotes right of way CL - denotes centerline of right of way

Benchmark Surveying & Mapping Consultants, Inc.
Certificate of Authorization Number - LB 6796

Post Office Box 771065, Winter Garden, Florida 34777-1065
14545 Porter Road, Winter Garden, Florida 34787
(407) 654-6183 Fax (407) 654-6184


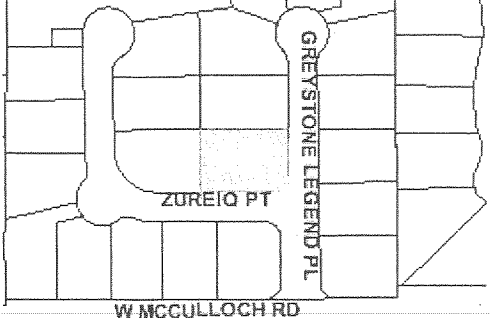
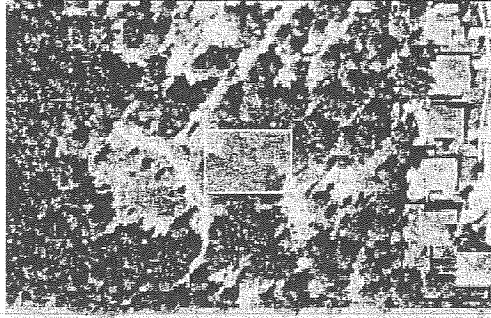
321.01-11
Project #

03/28/03

Field Date

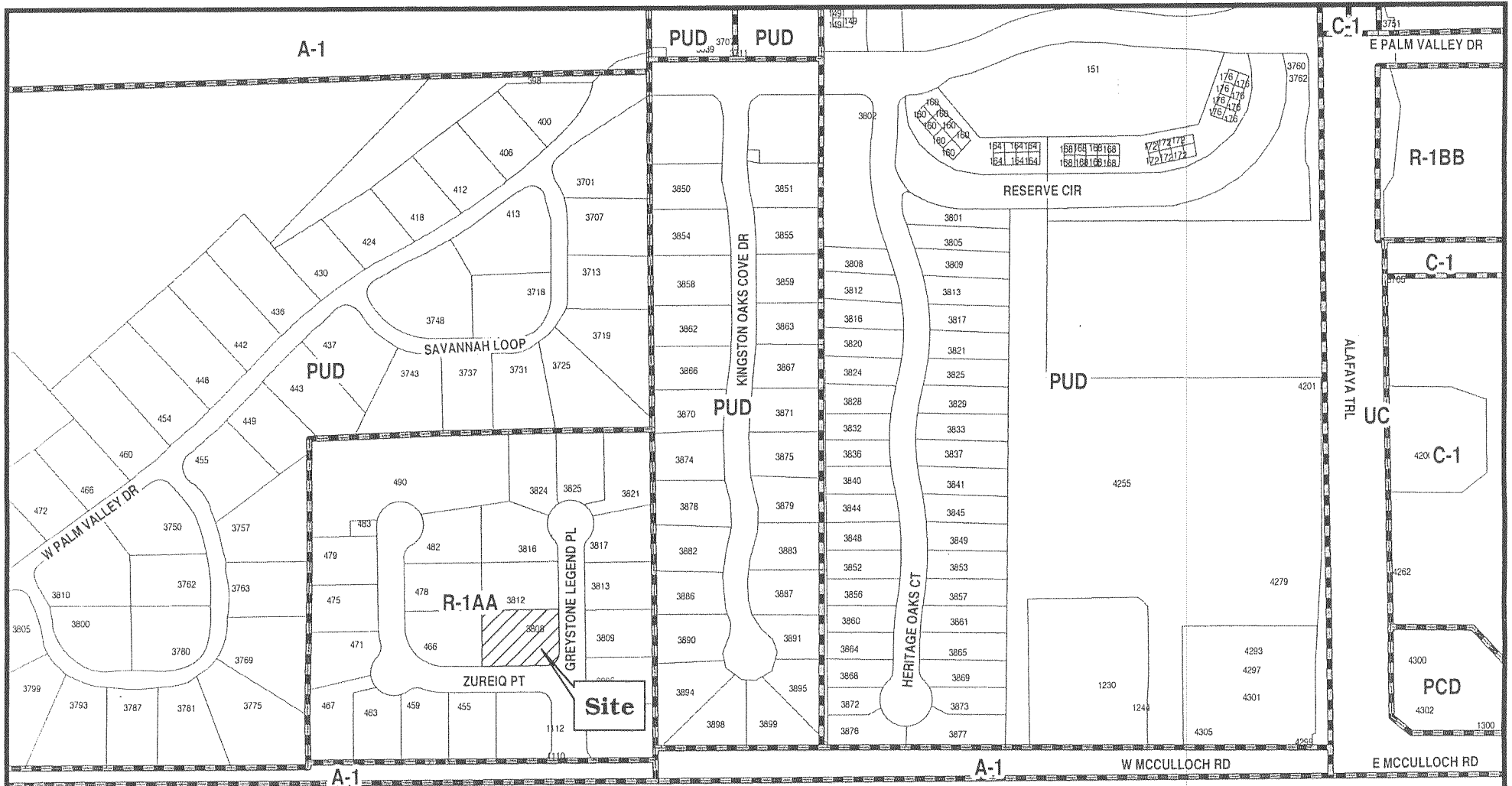
Prepared For:
Tropical Builders of Florida

Billy Joe Jenkins, Jr.
Billy Joe Jenkins, Jr., P.S.M. # 5205

PARCEL DETAIL	REAL ESTATE	PERSONAL PROP	TAX ROLL	SALES SEARCH	Back																																																												
 <p>Seminole County Property Appraiser Services 1101 K. First St. Sanford FL 32771 407-665-7506</p>																																																																	
GENERAL Parcel Id: 33-21-31-506-0000-0110 Tax District: 01-TX DIST 1 - COUNTY Owner: SUNDARAM Exemptions: 00-HOMESTEAD KALPATHY B & GIRIJA Address: 3808 GREYSTONE LEGEND PL City,State,ZipCode: OVIEDO FL 32765 Property Address: 3808 GREYSTONE LEGEND PL Subdivision Name: GREYSTONE Dor: 01-SINGLE FAMILY				2004 WORKING VALUE SUMMARY Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$246,778 Depreciated EXFT Value: \$0 Land Value (Market): \$76,400 Land Value Ag: \$0 Just/Market Value: \$323,178 Assessed Value (SOH): \$323,178 Exempt Value: \$25,000 Taxable Value: \$298,178																																																													
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[BACK](#)
[PROPERTY APPRAISER HOME PAGE](#)
[CONTACT](#)

Kalpathy Sundaram 3808 Greystone Legend Place



ORANGE COUNTY

Parcel: 33-21-31-506-0000-0110 / District: 1

BV2004-111
August, 2004

1:3,329

COUNTY APPROVAL DEVELOPMENT ORDER

On August 23, 2004, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 11 GREYSTONE PB 59 PGS 98 & 99

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: KALPATHY & GIRIJA SUNDARAM
3808 GREYSTONE LEGEND PLACE
OVIEDO, FL 32765

Project Name: GREYSTONE LEGEND PLACE (3808)

Requested Development Approval:

1. SIDE STREET SETBACK VARIANCE FROM 25 FEET TO 18 FEET FOR A PROPOSED FENCE IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT).

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Francisco Torregrosa, Planner
1101 East First Street
Sanford, Florida 32771

Order

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:
 1. The variance granted will apply only to the proposed fence as depicted on the attached site plan.
- (4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
Matthew West
Planning Manager

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____ who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2004.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: